



ROSWELL BUILDING AND LANDS COMMITTEE SPECIAL MEETING

Thursday, March 12, 2015 at 5:00 p.m.
Conference Room at Roswell City Hall
425 N. Richardson Avenue

Committee Chair: Jeanine Best
Committee Members: Caleb Grant, Steve Henderson
Staff Coordinator: Elizabeth Stark-Rankins

A. Call to Order

B. Approval of the Agenda

C. Action Items

- | | |
|--|------|
| 1. VA Cemetery Master Plan Approval (Tim Williams) | 1-2 |
| 2. Resolution 15-17: Adoption of Required Community Development Grant
Policies and Certifications (Elizabeth Stark-Rankins) | 3-16 |

D. Other Business (Non-Action)

1. Public Comments

E. Adjourn

Next Meeting: March 23, 2015

Notice of this meeting has been given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 14-36.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 575-624-6700 if a summary or other type of accessible format is needed.

Printed and posted: 3/6/2015



MEMORANDUM

Meeting Date: Thursday, March 12, 2015

Item No. C-1

To: Building and Lands Committee

From: Tim Williams, Parks and Recreation Director

Subject: VA Cemetery Master Plan Approval

Background: The land for the VA Cemetery was donated to the City by Ray Willis for the specific purpose of building a VA Cemetery. While some construction has taken place on the site, most of the area is not developed. In order to move forward in a productive way, City staff and the VA Board have been working to solidify a master plan for this area.

Update Summary: A master plan has been developed and meets all the needs of the VA Board. It incorporates all the development that has already occurred at the site and the plans for future development of a pavilion, parking area, maintenance shed, service animals area, monument, etc. This plan was approved by the Parks and Recreation Committee at their regular meeting on March 2.

Action Requested: Approval of the VA Cemetery master plan.

City Council Action: City Council will review and need to approve the master plan.

Attachments: VA Cemetery Master Plan



MEMORANDUM

Meeting Date: Thursday, March 12, 2015

Item No. C-2

To: Building and Lands Committee

From: Elizabeth Stark-Rankins, Support Services Administrator

Subject: Resolution 15-17: Adoption of Required Community Development Grant Policies and Certifications

Update Summary: As current awardees of CDBG grant funding and potential future CDBG grant funding, the City is required to approve various policies each year for this purpose. A resolution is required for this approval.

Action Requested: Approval of Resolution 15-17.

City Council Action: City Council will review and need to approve Resolution 15-17, once approval is obtained from the Committee.

Attachments: Resolution 15-17
Citizen Participation Plan
Residential Anti-Displacement & Relocation Assistance Plan
Section 3 Plan

**City of Roswell
Resolution 15-17**

**ADOPTION OF REQUIRED
COMMUNITY DEVELOPMENT BLOCK GRANT
POLICIES & CERTIFICATIONS**

WHEREAS, municipalities or other entities that accept Community Development Block Grant Funds must adopt certain mandated federal policies annually; and

WHEREAS, **CITY OF ROSWELL**, hereinafter referred to as the **City**, wishes to ensure compliance with federal guidelines by adopting the following required policies or certifications:

Citizen Participation Plan	encourages citizen participation with particular emphasis on low and moderate income persons; outlines the objectives and plan to implement those objectives
Fair Housing Resolution or Proclamation	certifies commitment to further the efforts of Fair Housing which prohibits discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing on the basis of race, color, religion, sex, disability, familial status or national origin
Residential Anti-Displacement & Relocation Assistance Plan	certifies that it will replace all occupied and available vacant low/moderate-income dwelling units demolished or converted to a use other than as a low/moderate income housing as a direct result of activities assisted with Housing and Community Development funds
Section 3 Plan	encourages the use of small local businesses and the hiring of low income residents of the community
Procurement Code	certifies that the City will comply with the New Mexico State Procurement Code

NOW THEREFORE, be it resolved that the **CITY OF ROSWELL** adopts the above CDBG policies and affirmations which will have to be re-adopted annually.

PASSED, APPROVED, SIGNED, AND ADOPTED at a duly called and convened regular meeting of the governing body of the **CITY OF ROSWELL** this 12th day of March, 2015.

SIGNED: _____
Dennis Kintigh, Mayor

ATTEST: _____
Sharon Coll, Clerk

Citizen Participation Plan

Introduction

In accordance with the 1987 revisions to the Housing and Community Development Act and in an effort to further encourage citizen participation, the **City of Roswell** has prepared and adopted this Citizen Participation Plan.

Objective A

The **City of Roswell** will provide for and encourage citizen participation within its area of jurisdiction, with particular emphasis on participation by persons of low- and moderate-income.

Action items:

1. *Adopt and circulate an Open Meetings Resolution which provides citizens with reasonable notice of county/municipality upcoming meetings, actions and functions.*
2. *Develop press releases on county/municipality meetings, actions and hearings, and circulate to newspapers, radio and television media.*
3. *Develop and maintain listing of groups and representative of low- and moderate-income persons, and include on mailing lists of announcements, notices, press releases, etc.*

Objective B

The **City of Roswell** will provide citizens with reasonable and timely access to local meetings, information and records relating to the proposed and actual use of CDBG funds.

Action items:

1. *Public notices, press releases, etc., should allow for a maximum length of notice to citizens.*
2. *Appropriate information and records relating to the proposed and actual use of CDBG funds must be available upon request to all citizens. Personnel and income records may be exempted from these requirements.*
3. *Meetings, hearing, etc., should be conducted at times and locations conducive to public attendance, e.g., evenings, Saturdays.*

Objective C

The **City of Roswell** will provide technical assistance to groups and representatives of low- and moderate-income persons that request assistance in developing proposals. Note: the level and type of assistance is to be determined by the city.

Action items:

1. *Low- and moderate-income groups should be advised that technical assistance, particularly in the area of community development, is available from the county/municipality upon request.*
2. *Document technical assistance provided to such groups and has documentation available for review.*

Objective D

The **City of Roswell** will provide a minimum of two public hearings to obtain citizen participation and respond to proposals and questions at all stages of the Community Development Block Grant Program.

Action items:

1. *Advise citizens of the CDBG program objectives, range of activities that can be applied for, and other pertinent information.*
2. *Conduct a minimum of two public hearings:*
 - a. *One public hearing will be held to advise citizens of the program objectives and range of activities that can be applied for, and to obtain the citizen's views on community development and housing needs, to include the needs of low- and moderate-income people. This hearing will take place prior to the selection of the project to be submitted to the state for CDBG funding assistance.*
 - b. *A second public hearing will be held to review program performances, past use of funds and make available to the public its community development and housing needs, including the needs of low- and moderate-income families, and the activities to be undertaken to meet such needs.*
3. *Publish public hearing notices in the non-legal section of newspapers or in other local media. Evidence of compliance with these regulations will be provided with each CDBG application, .e.g., hearing notice minutes of public meetings, list of needs and activities to be undertaken, etc. Amendments to goals, objectives, and applications are also subject to public participation.*

Objective E

The **City of Roswell** will provide timely written answers to written complaints and grievances within 15 working days where practical.

Action items:

1. *Adopt complaint handling procedures or policies to insure that complaints or grievances are responded to within 15 days, if possible.*
2. *Allow for appeal of a decision to a neutral authority.*
3. *File a detailed record of all complaints or grievances and responses in one central location with easy public access.*

Objective E

The **City of Roswell** will identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of residents can be reasonably expected to participate.

Action items:

1. *Identify areas where large majorities of non-English speaking persons reside and make appropriate provisions when issues affecting these areas are to be discussed at public meetings, hearings, etc. Appropriate provisions will include having interpreters available at the meeting and having briefing material available in the appropriate language.*
2. *Maintain records/rosters of public hearing attendees and proceedings to verify compliance with this objective.*

Mayor

Date

Residential Anti-Displacement and Relocation Assistance Plan

I. Background/Introduction

Section 104(d) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5304(d)(4)), Section 105(b)(16) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705(b)(16)), and implementing regulations at 24 CFR Part 42, specify that a grantee under the Community Development Block Grant (CDBG) must certify that it has in effect and is following a "Residential Anti-Displacement and Relocation Assistance Plan" (Plan). As a CDBG grantee, the **City of Roswell** must certify to State of New Mexico Department of Finance and Administration Local Government Division that it has and is following such a Plan.

The Plan must include three components: 1) one-for-one replacement requirements for lower-income housing units, 2) relocation assistance, and 3) a description of the steps the **City of Roswell** will take to minimize displacement.

II. Activities Covered by the Plan

All activities involving the use of CDBG funds that cause displacement as a direct result of demolition or conversion of a lower-income dwelling are subject to the requirements specified in the Plan. Activities for which funds are first obligated on or after September 30, 1988 are subject to the requirements specified in the Plan, without regard to the source year of the funds.

III. Uniform Relocation Act

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) govern displacement that directly results from acquisition, rehabilitation, or demolition of real property when federal funds are used. The **City of Roswell's** Residential Anti-Displacement and Relocation Assistance Plan is in no way intended to supersede the URA. CDBG-assisted activities may still be subject to the requirements of the URA.

IV. One-for-One Replacement Units

All occupied and vacant occupiable lower-income dwelling units that are demolished or converted to a use other than as lower-income dwelling units in connection with an assisted activity must be replaced with comparable lower-income units. Replacement lower-income dwelling units may be provided by any governmental agency or private developer and must meet the following requirements:

- A. The units must be located within the **City of Roswell** to the extent feasible, the units shall be located within the same neighborhood as the units replaced
- B. The units must be sufficient in number and size to house no fewer than the number of occupants who could have been housed in the units that are demolished or converted. The number of occupants who could have been housed in the units shall be in accordance with applicable local housing occupancy codes. The units may not be replaced with smaller units (e.g., a 2-bedroom unit with two 1-bedroom units), unless the **City of Roswell** has provided information demonstrating that such a proposed replacement is consistent with the needs assessment contained State of New Mexico Department of Finance and Administration Local Government Division HUD-approved Consolidated Plan.

- C. The units must be in standard condition and must at a minimum meet Section 8 Program Housing Quality Standards. Replacement lower-income units may include units brought from a substandard condition to standard condition if: 1) no person was displaced from the unit; and 2) the unit was vacant for at least 3 months before execution of the agreement between the **City of Roswell** and the property owner.
- D. The units must initially be made available for occupancy at any time during the period beginning one year before the recipient makes public the information required under Section F below and ending three years after the commencement of the demolition or rehabilitation related to the conversion.
- E. The units must be designed to remain lower-income dwelling units for at least 10 years from the date of initial occupancy. Replacement lower-income dwelling units may include, but are not limited to, public housing or existing housing receiving Section 8 project-based assistance.
- F. Before the **City of Roswell** enters into a contract committing it to provide CDBG funds for any activity that will directly result in the demolition of lower-income dwelling units or the conversion of lower-income dwelling units to another use, the **City of Roswell** must make the following information public and submit it in writing to LGD:
1. A description of the proposed assisted activity;
 2. The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for lower-income dwelling units as a direct result of the assisted activity;
 3. A time schedule for the commencement and completion of the demolition or conversion;
 4. The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units. If such data is not available at the time of the submission to LGD, the submission shall identify the general location on an area map and the approximate number of dwelling units by size, and information identifying the specific location and number of dwellings units by size shall be submitted and disclosed to the public as soon as it is available;
 5. The source of funding and time schedule for the provision of replacement dwelling units;
 6. The basis for concluding that each replacement unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
 7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the needs assessment contained in the State of New Mexico Department of Finance and Administration Local Government Division Consolidated Plan.
- G. The one-for-one replacement requirements may not apply if HUD determines, based on objective data, that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the **City of Roswell**. In making such a determination, LGD will consider such factors as vacancy rates, numbers of lower-income units in the City of Roswell, and the number of eligible families on the Section 8 waiting list.

V. Relocation Assistance

Each lower income person who is displaced as a direct result of CDBG assisted demolition or conversion of a lower-income dwelling shall be provided with relocation assistance.

Relocation assistance includes advisory services and reimbursement for moving expenses, security deposits, credit checks, other moving expenses, including certain interim living costs, and certain replacement housing assistance.

Displaced persons have the right to elect, as an alternative to the benefits described in this Plan, to receive benefits under the URA, if they determine that it is in their best interest to do so. The following relocation assistance shall be available to lower-income displacement persons:

- A. Displaced lower-income persons will receive the relocation assistance required under 49 CFR 24, Subpart C (General Relocation Requirements) and Subpart D (Payment for Moving and Related Expenses) whether the person elects to receive assistance under the URA or the assistance required by CDBG regulations. Relocation notices must be distributed to the affected persons in accordance with 49 CFR 24.203 of the URA;
- B. The reasonable and necessary cost of any security deposit required to rent the replacement dwelling unit and for credit checks required to rent or purchase the replacement dwelling unit;
- C. Actual reasonable out-of-pocket costs incurred in connection with temporary relocation, including moving expenses and increased housing costs, if:
 1. The person must relocate temporarily because continued occupancy of the dwelling unit constitutes a substantial danger to the health or safety of the person or the public; or
 2. The person is displaced from a lower-income dwelling unit, none of the comparable replacement units to which the person has been referred qualifies as a lower-income dwelling unit, and a suitable lower-income dwelling unit is scheduled to become available through one-for-one replacement requirements
- D. Replacement Housing Assistance. Displaced persons are eligible to receive one of the following two forms of replacement housing assistance:
 1. Each person shall be offered rental assistance equal to 60 times the amount necessary to reduce the monthly rent and estimated average monthly cost of utilities for a replacement dwelling to the "Total Tenant Payment," as determined under 24 CFR 813.107. All or a portion of this assistance may be offered through a certificate or housing voucher for rental assistance under the Section 8 program. Where Section 8 assistance is provided to the displaced person, the **City of Roswell** must provide the person with referrals to comparable units whose owners are willing to participate in Section 8 program to the extent that cash assistance is provided, it will be provided in installments.
 2. In lieu of the housing voucher, certificate or cash assistance described above, the person may elect to receive a lump sum payment allowing them to secure participation in a housing cooperative or mutual housing association. This lump sum payment shall be equal to the capitalized value of 60 monthly installments of the amount that is obtained by subtracting the "Total Tenant Payment," as determined under 24 CFR 813.107, from the monthly cost of rent and average monthly cost of utilities at a comparable replacement dwelling unit. To compute the capitalized value, the installments shall be discounted at the

rate of interest paid on passbook savings in a federally-insured financial institution conducting business within the **City of Roswell**.

Displaced lower-income tenants shall be advised of their right to elect relocation assistance pursuant to the URA and the regulations at 49 CFR 24 as an alternative to the relocation assistance available under CDBG regulations.

VI. Eligibility for Relocation Assistance

A lower-income person is eligible for relocation assistance if they are considered to be a "displaced person" as defined in 24 CFR 42.305. A displaced person means a lower-income person who, in connection with an activity assisted under the CDBG program, permanently moves from real property or permanently moves personal property from real property as a direct result of demolition or conversion of a lower-income dwelling.

For purposes of this definition, a permanent move includes a move made permanently and:

A. After notice by the owner to move from the property, if the move occurs on or after the date of the submission of a request to the **City of Roswell** for CDBG assistance that is later approved for the requested activity; or

B. After notice by the owner to move from the property, if the move occurs on or after the date of the initial official submission to HUD of the consolidated plan under 24 CFR Part 91 describing the assisted activity; or

C. Before the dates described in A & B above, if the **City of Roswell** or LGD determines that the displacement was a direct result of conversion or demolition in connection with a CDBG assisted activity; or

D. By a tenant-occupant of a dwelling unit, if any one of the following three situations occurs:

1. The tenant moves after execution of the CDBG agreement covering the acquisition, rehabilitation or demolition and the move occurs before the tenant is provided written notice offering the tenant the opportunity to lease and occupy a suitable, decent, safe and sanitary dwelling in the same building/complex upon completion of the project under reasonable terms and conditions, including a monthly rent and estimated average monthly utility costs that do not exceed the greater of the tenant's monthly rent before such agreement, or the total tenant payment as determined under 24 CFR 813.107 if the tenant is lower-income, or 30 percent of gross household income if the tenant is not lower-income.
2. The tenant is required to relocate temporarily, does not return to the building/complex, and either is not offered payment for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, or other conditions of the temporary relocation are not reasonable.
3. The tenant is required to move to another dwelling unit in the same building/complex but is not offered reimbursement for all reasonable out-of-pocket expenses incurred in connection with the move, or other conditions of the move are not reasonable.

If the displacement occurs on or after the appropriate date described in A & B above, the lower-income person is not eligible for relocation assistance if:

- A. The person is evicted for cause based upon a serious or repeated violation of the terms and conditions of the lease or occupancy agreement, violation of applicable federal, State or local law, or other good cause, and the **City of Roswell** determines that the eviction was not undertaken for the purpose of evading the obligation to provide relocation assistance;
- B. The person moved into the property on or after the date described in A & B above after receiving written notice of the expected displacement; or
- C. The **City of Roswell** determines that the displacement was not a direct result of the CDBG assisted activity and LGD concurs with this determination.

VII. Minimizing Displacement

The CDBG regulations regarding the demolition or conversion of lower-income dwelling units are designed to ensure that lower-income persons are provided with adequate, affordable replacement housing. Naturally, involuntary displacement should be discouraged whenever a reasonable alternative exists. Involuntary displacement is extremely disruptive and disturbing, especially to lower-income persons who do not have the means to locate alternative housing.

There are various ways that displacement can be minimized. The following are steps that will be taken to minimize the involuntary displacement of lower-income persons when CDBG funds are involved:

- A. Screening of Applications. All CDBG applications will be reviewed to determine whether involuntary displacement is likely to occur. Those applications involving displacement will receive a lower priority recommendation for funding unless it can be shown that alternatives are not available.
- B. Acquisition of Property. Applicants who apply for CDBG funds to acquire property for the development of lower-income housing will be encouraged to purchase vacant land. In the case of in-fill and other projects where this is not feasible and the project involves potential displacement, the applicant shall agree to allow the displaced lower-income person(s) to occupy the new housing at an affordable rent.

Applicants who utilize CDBG funds to rehabilitate or convert a lower-income unit to a nonresidential use will be required to supply replacement housing consistent with paragraph IV, as well as relocation assistance.
- C. Cost of Relocation Assistance. The cost of any required relocation assistance and the provision of replacement housing will be borne by the applicant and may be paid for out of CDBG funds awarded to the project.

VIII. Definitions

- A. "Comparable replacement dwelling unit" means a dwelling unit that:
 - 1. Meets the criteria of 49 CFR 24.2(d)(1) through (6); and
 - 2. Is available at a monthly cost for rent plus estimated average monthly utility costs that does not exceed the "Total Tenant Payment" determined under 24 CFR 813.107 after taking into account any rental assistance the household would receive.

- B. "Lower-income dwelling unit" means a dwelling unit with a market rental (including utility costs) that does not exceed the applicable Fair Market Rent (FMR) for existing housing and moderate rehabilitation established under 24 CFR Part 888.
- C. "Standard condition" means units that at a minimum meet the Existing Housing Quality Standards of the Section 8 rental subsidy program.
- D. "Substandard condition suitable for rehabilitation" means units with code violations that can be brought to Section 8 Housing Quality Standards within reasonable monetary amounts.
- E. "Vacant occupiable dwelling unit" means a dwelling unit that is in a standard condition; a vacant dwelling unit that is in substandard condition, but is suitable for rehabilitation; or a dwelling unit in any condition that has been occupied (except by a squatter) at any time within the period beginning 3 months before the date of execution of the agreement by the **City of Roswell** covering the rehabilitation or demolition.

IX. Grievances

The **City of Roswell** will provide timely written answers to written complaints and grievances within 15 working days where practical. Action items:

- A. Adopt complaint handling procedures or policies to insure that complaints or grievances are responded to within 15 days, if possible.
- B. Allow for appeal of a decision to a neutral authority.
- C. File a detailed record of all complaints or grievances and responses in one central location with easy public access.

IX. Certification

The **City of Roswell** herewith certifies to follow the Residential Anti-Displacement and Relocation Assistance Plan described above and adopt the plan by resolution annually.

Plan Adoption Date: March 12, 2015

Adoption Instrument: Approval through Resolution by the Mayor and City Council

Certified By:

Mayor

Date

Section 3 Plan

The City of Roswell is committed to comply with Section 3 of the Housing and Urban Development Act of 1968. This Act encourages the use of small local businesses and the hiring of low income residents of the community.

The City of Roswell has appointed Jetta Miles as the Section 3 Coordinator, to advise and assist key personnel and staff on Section 3, to officially serve as focal point for Section 3 complaints, and as the on-site monitor of prime contractors and sub-contractors to insure the implementation and enforcement of their Section 3 plans. The approval or disapproval of the Section 3 plan is the ultimate responsibility of the City of Roswell. Documentation of efforts will be retained on file for monitoring by the state.

Therefore, the City of Roswell shall:

1. Hiring

- a. Advertise for all City positions in local newspapers
- b. List all City job opportunities with the State Employment Service
- c. Give preference in hiring to lower income persons residing in the City. This means that if two equally qualified persons apply and one is a resident of the City and one is not, the resident will be hired
- d. Maintain records of City hiring as specified on this form

ANTICIPATED			HIRING 2014-15	
PLANNED			ACTUAL	
Job Classification	# of Positions to be Filled	# of Positions to be Filled by Lower Income City Residents	# of Positions Filled	Positions Filled by Lower Income City Residents

- Chart for Section 3 Plan **MUST** be filled out in its entirety.

2. Contracting

- a. The City of Roswell will compile a list of businesses, suppliers, and contractors located in the City of Roswell.
- b. These vendors will be contacted for bid or quotes whenever the City of Roswell requires supplies, services or construction.
- c. Preference will be given to small local businesses. This means if identical bids/quotes are received from a small business located within the City of Roswell and one from outside the City of Roswell, the contract will be awarded to the business located within the community.

3. Training

- a. The City of Roswell shall maintain a list of all training programs operated by the City of Roswell and its agencies and will direct them to give preference to City of Roswell residents. The City of Roswell will also direct all CDBG-sponsored training to provide preference to City of Roswell residents.

4. CDBG Contracts

All CDBG bid proposals and contracts shall include the following Section 3 language.

- a. The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 170. Section 3 requires that the greatest extent feasible, opportunities for training and employment be given lower income residents of the project areas, and contracts for work in connection with the project be awarded to business concerns residing in the project area.
- b. The parties to this contract will comply with the provision of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR and all applicable rules and orders of the Department issued there under prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- c. The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers' representative of his commitments under the Section 3 clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- d. The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for, or recipient of federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR 135. The contractor will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR 135, and will not let any subcontract unless the subcontractor has first provided it with the requirements of these regulations.
- e. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders of the Department, issued there under prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors and assigns to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR 135.

The City of Roswell shall require each contractor to prepare a written Section 3 plan as a part of their bids on all jobs exceeding \$100,000. All Section 3 plans shall be reviewed and approved by the City of Roswell's Equal Opportunity Section 3 Compliance Officer and retained for monitoring by the state.

The City of Roswell will maintain all necessary reports and will insure that all contractors and subcontractors submit required reports.

LOWER INCOME CLARIFICATION

A family who resides in the City of Roswell and whose income does not exceed the income limit for the size of family as per the attached Section 8 Income Limit for the City of Roswell. Information contained in our Section 3 Plan reflects the status of the City of Roswell employees regarding lower income considerations based on their salary paid by the City of Roswell.

Mayor Dennis Kintigh

Date